IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL APPLICATION NO.59 OF 2007
IN
CRIMINAL APPEAL NO.78 OF 2007

Pratap Shivaji Bhosale & Anr. ...Applicants.
V/s.
The State of Maharashtra ...Respondent.

Shri A.P.Mundargi, adv. for the Applicants.
Smt.S.S.Deshmukh, APP for the Respondent/State.

CORAM: J.H.BHATIA, J.
DATE : 14th March, 2007.

P.C.:

1. Heard the learned counsel for the Parties.

2. The applicants, who are original accused nos.1 and 2 are convicted for the offences punishable under Sections 452, 307 read with Section 34 of the I.P.C. While for the offence punishable under Section 452, sentence of R.I. for 3 years and fine of Rs.2,000/- is awarded, for the offence punishable under Section 307, sentence of R.I. for 5 years and fine of Rs.3000/- is awarded to each of the accused. The applicants have preferred an appeal challenging the conviction and sentence. Appeal is admitted.

3. By this application, the applicants seek to be released on bail pending final hearing and disposal of

the appeal. Medical evidence reveals that the injured Babasaheb Zende had suffered in all 9 injuries including 3 incised wounds. Further all the injuries were found to be simple by nature and patient was treated as O.P.D. and was sent home after the treatment. Disposal of the appeal may take a long time and therefore, in my opinion, bail may be granted to the present applicants.

4. Applicants be released on bail on same terms and conditions as before the Trial Court subject to their executing fresh bail bonds and depositing the fine amount.

5. Application stands disposed off.

(J.H.Bhatia,J.)